IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

OP.No. 13988 of 1999(M)

PETITIONER:

DR.VINCENT PANIKULANGARA,
ADVOCATE, HIGH COURT OF KERALA, 167,
VASANTH NAGAR, KOCHI 682.

BY ADV. DR.VINCENT PANIKULANGARA

RESPONDENTS:
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1. **UNION OF INDIA REP.BY**
SECRETRY FOPR HEALTH AND FAMILY WELFARE,
NEW DELHI 110 001.

2. **STATE OF KERALA, REP.BY**
THE CHIEF SECRETARY , GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM 695 001.

BY ADV. SRI.M.V.RAMACHANDRAN THAMPI
SRI.K.C.SANTHOSH KUMAR, ADDL.CGSC
BY GOVERNMENT PLEADER SMT.SMITHA SUKUMARAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

tss

OP. NO.13988/1999

ORDER ON CMP. NO.22588/1999 IN OP. NO.13988/1999

DISMISSED

04.09.2007 **SD/- THOTTATHIL B.RADHAKRISHNAN,JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REPRESENTATION DT. 3.7.98 SENT TO 2ND RESPONDENT BY THE PETITIONER

/TRUE COPY/

P.A. TO JUDGE

tss

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.13988 OF 1999

Dated this the 4th day of September, 2007

JUDGMENT

Learned Government Pleader appears for the second respondent. Service complete.

2. This writ petition is filed in June, 1999 seeking the following main reliefs:

> (i) a writ in the nature of mandamus commanding the respondents to take sufficient and adequate steps to include and implement vaccination against Hepatitis B in the National Extended Immunization Programme;
>
> (ii) a writ in the nature of mandamus commanding the respondents to require every medical institution, whether public or private, to have effective arrangement of crusher/incinerator for destroying every used syringe and needle forthwith as well as to monitor the private immunization programmes organized in schools;
>
> (iii) a writ in the nature of mandamus commanding the respondents to appoint an expert judicial commission under section 3 of the Commissions of Inquiry Act 1952 to study the extent of AIDS/Hepatitis B in India and to suggest ways and means to prevent the same urgently;

(iv) a writ in the nature of mandamus commanding the respondents to direct the appropriate authorities to require that any visitor from abroad should produce the certificate of HIV and HBV clearance/vaccination prior to entry into India.

3. With the passage of time, it is a matter, of which, due notice can be taken by this Court that effective steps have been taken and are being taken by the Government for prevention of Hepatitis B and also AIDS. The growing awareness that has been built up through the public information systems and by better management of the Health Departments, also with the junction of the programmes that have been extended by the Government to the various segments of the society indisputably takes care of, to a great extent, the growing need for continued surveillance and awareness regarding the lethal infections.

At this point of time, I do not deem it necessary to issue any particular direction as sought for. The writ petition is, hence, closed.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.13988 OF 1999

JUDGMENT

4th SEPTEMBER, 2007.

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